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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

HOEKS ET AL.

Appln. No.: 10/643,167

Filed: August 19, 2003

Title: CHUCK, LITHOGRAPHIC APPARATUS AND DEVICE MANUFACTURING METHOD

Confirmation No.: 3594

Group Art Unit: 2851

Examiner: Nguyen, Hung

August 3, 2004

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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the restriction requirement of the Office Action dated July 19, 2004, applicants hereby provisionally elect the invention of Group I, claims 1-12, drawn to a chuck. This election is made with traverse.

Applicants submit that the subject matter of Group I and Group II are sufficiently related that a thorough search and examination of any one Group would necessarily encompass the search and examination of the remaining Group.

Claims 1 to 12 of Group I recite, inter alia, a chuck to hold an object by electrostatic force, the chuck comprising a dielectric member, the side of the dielectric member facing the object provided with a plurality of pins having a conductive layer on the surface in contact with the object, the conductive layer having a specific resistivity less than 10 Ω m.

Claims 13 to 23 of Group II recite, inter alia, a lithographic projection apparatus comprising: an illuminator configured to provide a projection beam of radiation; a support structure configured to hold a patterning device, the patterning device configured to pattern the projection beam according to a desired pattern; a substrate table configured to hold a substrate; a projection system configured to project the patterned beam onto a target portion of the substrate; a chuck on at least one of the support structure and the substrate table, the chuck comprising a dielectric member, the side of the dielectric member facing an object held by the at least one of the support structure and the substrate table provided with a plurality of pins having a conductive layer on the surface in contact with the object, the conductive layer

having a specific resistivity less than 10 Ωm ; and at least one electrode for applying a potential difference across the dielectric member of the chuck to generate a clamping force.

Claims 24 to 29 of Group II recite, inter alia, a device manufacturing method comprising: providing a substrate on a surface of a dielectric member of an electrostatic chuck; applying a potential difference between first and second electrodes thereby applying a potential difference across the dielectric member to generate a clamping force on the substrate, the surface of the dielectric member having a plurality of pins having a conductive layer formed on the outer surface, the conductive layer having a specific resistivity of less than 10 Ωm ; and projecting a patterned beam of radiation onto a target portion of the substrate.

Thus, regardless of which Group applicants select, the search and examination of the entire application requires the search and examination for a chuck comprising a dielectric member, a surface of the dielectric member having a plurality of pins having a conductive layer on the surface, the conductive layer having a specific resistivity less than 10 Ωm . Accordingly, applicants respectfully submit that the search and examination of the entire application can be conducted without serious burden, and that the criteria for a proper requirement for restriction between patentably distinct inventions has not been met.

Indeed, MPEP § 803 clearly states that “[i]f the search and examination of the entire application can be made without serious burden, the examiner must examine it on its merits, even though it includes claims to distinct or independent inventions” (emphasis added). Applicants submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and duplicative examination by the U.S. Patent and Trademark Office. Applicants respectfully submit that the restriction requirement fails to satisfy the criteria of MPEP §803 and is improper.

Reconsideration and withdrawal of the restriction requirement are respectfully requested.

Respectfully submitted,

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